BOARD OF SUPERVISORS

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County Administrative Officer
SCOTT MILES
Interim County Counsel
TRACY DAMICO
Clerk of the Board

BOARD OF SUPERVISORS
COUNTY OF HUMBOLDT
825 FIFTH STREET
EUREKA, CA 95501
SUPERVISORS' CHAMBER, FIRST FLOOR

ACTION SUMMARY

Tuesday, October 1, 2024 | **9:00 AM** | **Regular Meeting - Hybrid**

A. ROLL CALL

Present: 4 - Supervisor Rex Bohn, Supervisor Michelle Bushnell, Supervisor Mike Wilson, and Supervisor Steve Madrone

Absent: 1 - Supervisor Natalie Arroyo

B. SALUTE TO THE FLAG

C. MODIFICATIONS TO THE AGENDA

D. CONSENT CALENDAR

A motion was made by Supervisor Bushnell, seconded by Supervisor Wilson, to approve the Consent Calendar. The motion carried with the following vote:

Aye: 4 - Supervisor Rex Bohn, Supervisor Michelle Bushnell, Supervisor Mike Wilson, and Supervisor Steve Madrone

Absent: 1 - Supervisor Natalie Arroyo

Agricultural Commissioner

24-1365

1. Approval of Cooperative Agreement No. 24-0017-000-SA, Certified Farmer's Market Inspection Contract with the California Department of Food and Agriculture in the Amount of $440.

Recommendation: That the Board of Supervisors:

1. Approve Cooperative Agreement No. 24-0017-000-SA, known as the Certified Farmer's Market Inspection Program contract with the California Department of Food and Agriculture (CDFA) in the amount of $440;
2. Authorize the Chair to sign the original agreement;
3. Direct the Clerk of the Board to return all signed copies to the Agricultural Commissioner's office for further processing; and
4. Grant a waiver from the provisions of the Nuclear Free Ordinance.

A motion was made by Supervisor Bushnell, seconded by Supervisor Wilson, to approve staff recommendations. The motion carried with the following vote:

Aye: 4 - Supervisor Rex Bohn, Supervisor Michelle Bushnell, Supervisor Mike Wilson, and Supervisor Steve Madrone

Absent: 1 - Supervisor Natalie Arroyo

Auditor/Controller

24-1363

2. Resolution Setting the Tax Rates for Fiscal Year 2024-25

Recommendation: That the Board of Supervisors:

1. Adopt the attached resolution setting the secured roll tax rates for the County of Humboldt, school districts, and special districts within Humboldt County for Fiscal Year 2024-25; and
2. Direct the Clerk of the Board to provide the Auditor-Controller's Office with one (1) fully executed certified copy of the attached resolution.

A motion was made by Supervisor Bushnell, seconded by Supervisor Wilson, to approve staff recommendations. The motion carried with the following vote:

Aye: 4 - Supervisor Rex Bohn, Supervisor Michelle Bushnell, Supervisor Mike Wilson, and Supervisor Steve Madrone

Absent: 1 - Supervisor Natalie Arroyo

Board of Supervisors

24-1323

3. Resolution to Recognize the 25th Anniversary of the Serendipity Bookstore

Recommendation: That the Board of Supervisors:

1. Adopt the resolution to recognize the 25th anniversary of the Serendipity Bookstore.

A motion was made by Supervisor Bushnell, seconded by Supervisor Wilson, to approve staff recommendations. The motion carried with the following vote:

Aye: 4 - Supervisor Rex Bohn, Supervisor Michelle Bushnell, Supervisor Mike Wilson, and Supervisor Steve Madrone

Absent: 1 - Supervisor Natalie Arroyo

24-1394

4. Retirement Resolution for Sacha Marini of the Boys & Girls Club Teen Court

Recommendation: That the Board of Supervisors:
1. Authorize the Chair to sign the resolution.

A motion was made by Supervisor Bushnell, seconded by Supervisor Wilson, to approve staff recommendations. The motion carried with the following vote:

Aye: 4 - Supervisor Rex Bohn, Supervisor Michelle Bushnell, Supervisor Mike Wilson, and Supervisor Steve Madrone

Absent: 1 - Supervisor Natalie Arroyo

24-1395

5. Letter of Appreciation to Kevin Dreyer for Service on the McKinleyville Municipal Advisory Committee

Recommendation: That the Board of Supervisors:
1. Authorize the Chair to sign the letter.

A motion was made by Supervisor Bushnell, seconded by Supervisor Wilson, to approve staff recommendations. The motion carried with the following vote:

Aye: 4 - Supervisor Rex Bohn, Supervisor Michelle Bushnell, Supervisor Mike Wilson, and Supervisor Steve Madrone

Absent: 1 - Supervisor Natalie Arroyo

24-1396

6. President Jimmy Carter's 100th Birthday Proclamation

Recommendation: That the Board of Supervisors:
1. Adopt the proclamation.

A motion was made by Supervisor Bushnell, seconded by Supervisor Wilson, to approve staff recommendations. The motion carried with the following vote:

Aye: 4 - Supervisor Rex Bohn, Supervisor Michelle Bushnell, Supervisor Mike Wilson, and Supervisor Steve Madrone

Absent: 1 - Supervisor Natalie Arroyo

24-1398

7. Proclaim October 2024 as Domestic and Intimate Partner Violence Awareness Month

Recommendation: That the Board of Supervisors:
1. Adopt the proclamation.

A motion was made by Supervisor Bushnell, seconded by Supervisor Wilson, to approve staff recommendations. The motion carried with the following vote:

Aye: 4 - Supervisor Rex Bohn, Supervisor Michelle Bushnell, Supervisor Mike Wilson, and Supervisor Steve Madrone

Absent: 1 - Supervisor Natalie Arroyo

24-1399

8. Adjourn in the Memory of Jared Ourique

Recommendation: That the Board of Supervisors:
1. Authorize the Chair to sign the Certificate of Adjournment.

A motion was made by Supervisor Bushnell, seconded by Supervisor Wilson, to approve staff recommendations. The motion carried with the following vote:

Aye: 4 - Supervisor Rex Bohn, Supervisor Michelle Bushnell, Supervisor Mike Wilson, and Supervisor Steve Madrone

Absent: 1 - Supervisor Natalie Arroyo

Child Support Services

24-1315

9. Memorandum of Understanding with Napa County Child Support Regarding the Designation of Two Napa County Child Support Specialists to Provide Services for North Coast Regional Department of Child Support Services

Recommendation: That the Board of Supervisors:
1. Approve, and authorize the Director of North Coast Regional Department of Child Support Services (NCRDCSS) to execute the attached memorandum of understanding (MOU) between NCRDCSS and Napa County Child Support Services for case manager services; and
2. Authorize the Director of NCRDCSS, or a designee thereof, to execute any and all subsequent amendments to the attached memorandum of understanding with Napa County Child Support Services, after review and approval by County Counsel, Risk Management and the County Administrative Office.

A motion was made by Supervisor Bushnell, seconded by Supervisor Wilson, to approve staff recommendations. The motion carried with the following vote:

Aye: 4 - Supervisor Rex Bohn, Supervisor Michelle Bushnell, Supervisor Mike Wilson, and Supervisor Steve Madrone

Absent: 1 - Supervisor Natalie Arroyo

Clerk of the Board

24-1400

10. Quarterly Report of Current and Projected Vacancies on Humboldt County Board of Supervisors Appointed Boards, Committees and Commissions

Recommendation: That the Board of Supervisors:
1. Receive and file the report.

A motion was made by Supervisor Bushnell, seconded by Supervisor Wilson, to approve staff recommendations. The motion carried with the following vote:

Aye: 4 - Supervisor Rex Bohn, Supervisor Michelle Bushnell, Supervisor Mike Wilson, and Supervisor Steve Madrone

Absent: 1 - Supervisor Natalie Arroyo

24-1403

11. Approval of the Action Summary - Meeting of September 24, 2024

Recommendation: That the Board of Supervisors:
1. Approve the Action Summary for the meeting of September 24, 2024, and authorize the Clerk of the Board and the Board Chair to sign the Minute Book in accordance with California Governmental Code Section 25103.

A motion was made by Supervisor Bushnell, seconded by Supervisor Wilson, to approve staff recommendations. The motion carried with the following vote:

Aye: 4 - Supervisor Rex Bohn, Supervisor Michelle Bushnell, Supervisor Mike Wilson, and Supervisor Steve Madrone

Absent: 1 - Supervisor Natalie Arroyo

County Administrative Office

24-1208

12. Change Order Authorization and Supplemental Budget in the Amount of $37,745 for the County Administrative Office, ADA Compliance Budget for the Humboldt County Courthouse Fourth Street Americans with Disabilities Act Modification Project, Number 2020-101 (4/5 Vote Required)

Recommendation: That the Board of Supervisors:
1. Approve, and authorize the Purchasing Agent, or a designee thereof, to execute, Change Order 2 for the Humboldt County Courthouse Fourth Street Americans with Disabilities Act Project, Project Number 2020-101, in the amount of Thirty-Seven Thousand Seven Hundred Forty-Five Dollars ($37,745.00);
2. Approve the Supplemental Budget for Fiscal Year 2024-25 for Change Order 2 for the Humboldt County Courthouse Fourth Street Americans with Disabilities Act Project, Project Number 2020-101, in the amount of Thirty-Seven Thousand Seven Hundred Forty-Five Dollars ($37,745.00) (4/5 Vote Required); and
3. Direct the Clerk of the Board to provide the County Administrative Office with one (1) fully executed, certified copy of the Board Order related to this item.

A motion was made by Supervisor Bushnell, seconded by Supervisor Wilson, to approve staff recommendations. The motion carried with the following vote:

Aye: 4 - Supervisor Rex Bohn, Supervisor Michelle Bushnell, Supervisor Mike Wilson, and Supervisor Steve Madrone

Absent: 1 - Supervisor Natalie Arroyo

24-1408

13. Authorization to Sign for Travel and Tourism Agreements for Fiscal Year 2024-25

Recommendation: That the Board of Supervisors:
1. Authorize the County Administrative Officer (CAO) or their designee to execute and sign agreements related to the County of Humboldt's travel and tourism contracts for fiscal year (FY) 2024-25 as directed by the Board of Supervisors on June 10, 2024.

A motion was made by Supervisor Bushnell, seconded by Supervisor Wilson, to approve staff recommendations. The motion carried with the following vote:

Aye: 4 - Supervisor Rex Bohn, Supervisor Michelle Bushnell, Supervisor Mike Wilson, and Supervisor Steve Madrone

Absent: 1 - Supervisor Natalie Arroyo

County Clerk/Recorder/Registrar of Voters

24-1387

14. Biennial Conflict-of-Interest Code - School and Special Districts

Recommendation: That the Board of Supervisors:
1. Receive staff report; and
2. Approve the changes being requested by school districts and special districts.

A motion was made by Supervisor Bushnell, seconded by Supervisor Wilson, to approve staff recommendations. The motion carried with the following vote:

Aye: 4 - Supervisor Rex Bohn, Supervisor Michelle Bushnell, Supervisor Mike Wilson, and Supervisor Steve Madrone

Absent: 1 - Supervisor Natalie Arroyo

County Counsel

24-1349

15. Resolution Rescinding Resolution No. 22-114 and Adopting an Amended Conflict of Interest Code for the County of Humboldt

Recommendation: That the Board of Supervisors:
1. Adopt the attached resolution rescinding Resolution No. 22-114 and Amending the County of Humboldt's current Conflict of Interest Code; and
2. Direct the Clerk of the Board to provide the County Counsel's Office with one (1) fully executed certified copy of the attached resolution.

A motion was made by Supervisor Bushnell, seconded by Supervisor Wilson, to approve staff recommendations. The motion carried with the following vote:

Aye: 4 - Supervisor Rex Bohn, Supervisor Michelle Bushnell, Supervisor Mike Wilson, and Supervisor Steve Madrone

Absent: 1 - Supervisor Natalie Arroyo

Public Works

24-1359

16. Supplemental Budget for Motor Pool-Reserve in the Amount of $27,925 for Fiscal Year 2024-25 (4/5 Vote Required)

Recommendation: That the Board of Supervisors:
1. Approve the Supplemental Budget request for Public Works' Motor Pool-Reserve (3500351) in the amount of $27,925. (4/5 Vote Required)

A motion was made by Supervisor Bushnell, seconded by Supervisor Wilson, to approve staff recommendations. The motion carried with the following vote:

Aye: 4 - Supervisor Rex Bohn, Supervisor Michelle Bushnell, Supervisor Mike Wilson, and Supervisor Steve Madrone

Absent: 1 - Supervisor Natalie Arroyo

E. ITEMS PULLED FROM CONSENT

F. PUBLIC COMMENT ON NON-AGENDA ITEMS

G. MATTERS SET FOR TIME CERTAIN

County Counsel

24-1388

1. 11:00 AM - Conference with Legal Counsel – Anticipated Litigation pursuant to Government Code Section 54956.9(d)(2) and (e)(3) regarding exposure to litigation in one potential case: claim for damages submitted by Darrin Richard Dickson

No Reportable Action

24-1389

2. 11:00 AM - Conference with Legal Counsel – Pursuant to Government Code Section 54956.9(d)(1) to discuss existing litigation in the case of Green Leaf Nurseries LLC, et al. v. County of Humboldt, et al., Humboldt County Superior Court Case No. CV2300937

No Reportable Action

H. PUBLIC HEARINGS

Planning and Building Department

24-1352

1. Adoption of Two Ordinances Amending the Zoning Code to Allow Commercial Residential Within Certain Non-Residential Zones and Update Zoning Code Sections Relative to Fences, Definition of Family, Mini-Storages, Residences in the Inland Business Park Zone and Allowed Number of Units in a Multifamily Building in the R-3 Zone Within the Inland and Coastal Unincorporated Areas of Humboldt County

Recommendation: That the Board of Supervisors:

1. Open the public hearing, receive and consider the staff report, accept public comment;
2. Close the public comment portion of the public hearing;
3. Deliberate and comment on the draft ordinances presented;
4. Adopt the resolution (Attachment 1) for the Commercial Residential Amendment to take the following actions:

a. Consider the project-specific addendum to the Programmatic Environmental Impact Report (PEIR) prepared for Humboldt County General Plan, which has been prepared per ?15164 of the State CEQA Guidelines (Attachment 2);

b. Find the proposed Inland Commercial Residential Ordinance is consistent with the General Plan; and

c. Find the proposed Coastal Commercial Residential Ordinance is consistent with the Local Coastal Plan and the Coastal Act;

5. Adopt the Inland Commercial Residential Ordinance adding section 314-56.5 and amending the tables in sections 314-2.1, 314-2.2, 314-2.3, 314-2.4, 314-3.1 in Chapter 4 of Division 1 of Title III of the County Code for the inland areas of the County (Attachment 3);
6. Adopt the Coastal Commercial Residential Ordinance adding section 313-56.5 and amending the tables in sections 313-2.1, 313-2.2, 313-3.1 in Chapter 3 of Division 1 of Title III of the County Code for the coastal areas of the county (Attachment 4);
7. Direct the Clerk of the Board to publish post-adoption summaries of the Inland Ordinance Attachment 5 (Inland) within 15 days after adoption by the Board, and to post in the Office of the Clerk of the Board of Supervisors a certified copy of the full text of the adopted ordinances along with the names of those Supervisors voting for and against the ordinance;
8. Direct Planning and Building staff to transmit the Coastal Commercial Residential Ordinance with relevant information to the Coastal Commission for Certification;
9. Adopt the resolution (Attachment 6) for the Code Updates to take the following actions:

a. Consider the project-specific addendum to the previously certified Programmatic Environmental Impact Report (PEIR) prepared for Humboldt County General Plan prepared for consideration per ?15164 of the State CEQA Guidelines (Attachment 7);

b. Find that the proposed Inland Zoning Updates Ordinance is consistent with the General Plan and state law; and

c. Find that the proposed Coastal Zoning Updates Ordinance is consistent with the Local Coastal Plan and the Coastal Act;

10. Adopt the Inland Zoning Updates Ordinance adding section 314-73.1 and amending sections 314-102.1.3, 314-141, 314-148, 314-154, 314-163.1.3, and the tables in sections 314-2.3, 314-3.1, 314-3.2, 314-6.4, in Chapter 4 of Division 1 of Title III of the County Code for the inland areas of the County [Attachment 8];
11. Adopt the Coastal Zoning Updates Ordinance adding section 313-74.1 and amending sections 313-99.1.1.1, 313-141, 313-148, 313-154, 313-163.1.3, and the tables in sections 313-2.2, 313-3.1, 313-3.2, in Chapter 3 of Division 1 of Title III of the County Code for the coastal areas of the County [Attachment 9];

12. Direct the Clerk of the Board to publish post-adoption summaries of the Inland Ordinance Attachment 10 within 15 days after adoption by the Board, and to post in the Office of the Clerk of the Board of Supervisors a certified copy of the full text of the adopted ordinances along with the names of those Supervisors voting for and against the ordinance; and
13. Direct Planning and Building staff to transmit the Coastal Zoning Ordinance Updates with relevant information to the Coastal Commission for Certification.

This item has two motions. The first motion is as follows:

A motion was made by Supervisor Bushnell, seconded by Supervisor Wilson, to approve staff recommendations including the suggested changes to the Inland Commercial Residential Ordinance (Attachment 3) and the Coastal Commercial Residential Ordinance (Attachment 4), listed below:

Attachment 3: Inland Commercial Residential Ordinance adding section 314-56.5 and amending the tables in sections 314-2.1, 314-2.2, 314-2.3, 314-2.4, 314-3.1 in Chapter 4 of Division 1 of Title III of the County Code for the inland areas of the County. [Attachment 3] with the following Changes:
a. 56.5.2 Applicability. These regulations shall apply in Neighborhood Commercial (C-1), Community Commercial (C-2), Industrial Commercial (C-3), Highway Service Commercial (CH), and Business Park (MB) (ADD FOLLOWING LANGUAGE) [where the property is served by public water and sewer service including service from a Community Services District. In these Zones not served by public water and sewer a Special Permit is required.]
b. 56.5.3.3.1 Exceptions to Parking Standards. Parking standards for new residential units allowed as a commercial residential development shall not apply if the commercial residential development is located within one-half (1/2) mile walking distance of public transit with a clear path of travel and connection with appropriate pedestrian and bicycle facilities, (REMOVE FOLLOWING LANGUAGE) [and consists entirely of affordable housing units with covenants and restrictions ensuring long term affordability.]

Attachment 4: Coastal Commercial Residential Ordinance adding section 313-56.5 and amending the tables in sections 313-2.1, 313-2.2, 313-3.1 in Chapter 3 of Division 1 of Title III of the County Code for the coastal areas of the County. [Attachment 4]
a.56.5.2 Applicability. These regulations shall apply in Neighborhood Commercial (CN), Commercial General (CG), and Business Park (MB) where the property is served by public water and sewer service including service from a Community Services District. In these Zones not served by public water and sewer a Special Permit is required.
b. 56.5.3.3.1 Exceptions to Parking Standards. Parking standards for new residential units allowed as a commercial residential development shall not apply if the commercial residential development is located within one-half (1/2) mile walking distance of public transit with a clear path of travel and connection with appropriate pedestrian and bicycle facilities, (REMOVE FOLLOWING LANGUAGE) [and consists entirely of affordable housing units with covenants and restrictions ensuring long term affordability.]
This motion carried with the following vote:
AYES: Supervisors- Bohn, Bushnell, Wilson and Madrone
ABSENT: Supervisor - Arroyo

A second motion was made by Supervisor Wilson and seconded by Supervisor Madrone to approve staff recommendations 9-13. The motion carried by the following vote:

Aye: 3 - Supervisor Michelle Bushnell, Supervisor Mike Wilson, and Supervisor Steve Madrone

Nay: 1 - Supervisor Rex Bohn

Absent: 1 - Supervisor Natalie Arroyo

I. MATTERS INITIATED BY BOARD (NONE SCHEDULED)

J. DEPARTMENT REPORTS

Department of Health and Human Services: Administration

24-1254

1. Approval of an Exception to the Hiring Freeze to hire 1.0 Full-Time Equivalent (FTE) and Temporary Employment of Retired Annuitant as Licensed Clinical Psychologist II for the Behavioral Health Branch of the Department of Health & Human Services. (4/5 Vote Required)

Recommendation: That the Board of Supervisors:
1. Approve an exception to the Fiscal Year (FY) 2024-25 hiring freeze to hire 1.0 FTE Licensed Clinical Psychologist I/II (class 0904A/B, salary range 461/508) in budget unit 1170424 for the Behavioral Health Branch of DHHS;
2. Approve the employment of Mark Lamers as a temporary retired annuitant Licensed Clinical Psychologist II - Department of Health and Human Services (DHHS) Behavioral Health, (class 0904B, salary range 508, step E) (4/5 Vote Required) effective the date the recruitment for the permanent appointment of a 1.0 FTE Licensed Clinical Psychologist I/II (class 0904A/B, salary range 461/508) commences; and
3. Adopt the attached resolution for an exception to the 180-day wait period effective the date the recruitment for the permanent appointment of a 1.0 FTE Licensed Psychologist I/II (class 0904A/B, salary range 461/508) commences.

A motion was made by Supervisor Wilson, seconded by Supervisor Bushnell, to approve staff recommendations. The motion carried by the following vote:

Aye: 4 - Supervisor Rex Bohn, Supervisor Michelle Bushnell, Supervisor Mike Wilson, and Supervisor Steve Madrone

Absent: 1 - Supervisor Natalie Arroyo

K. CLOSED SESSION (SEE MATTERS SET FOR TIME CERTAIN)

L. ADJOURNMENT

I, NIKKI TURNER, Deputy Clerk of the Board of Supervisors, County of Humboldt, State of California, do hereby certify the foregoing to be a full, true, and correct original record of the above-entitled meeting of the Humboldt County Board of Supervisors held in Eureka California.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said Board of Supervisors.

NIKKI TURNER
Deputy Clerk of the Board of Supervisors of the County of Humboldt, State of California.

10/08/2024